

Regulatory Roles (Primarily)

	OIC	DOH	Other
FINANCIAL			
Solvency, reserves	· Rules differ by type of carrier		· Federal regulatory roles are related to antitrust enforcement and Department of Labor oversight of self insured employer health benefits.
Pricing	· Can disapprove rate filings if "excessive, inadequate, or unfairly discriminatory."	· Advisory guidelines for carriers & employers on wellness programs that may justify reduced premium under community rating law	· Federal Department of Justice, Federal Trade Commission and state Attorney General enforces anti-trust restrictions.
Mergers and acquisitions			· Health Care policy Board can grant and supervise anti-trust immunities
BENEFITS	· Enforces state mandated benefits (vary somewhat by type of carrier)	· See advisory roles related to practice guidelines (Quality)	
PROVIDERS			
Facility health and safety		· Licenses health facilities & services including hospitals, home health · Revising hospital rules to parallel JCAHO (accreditation) standards	· DSHS regulates nursing homes, adult family homes
Practitioner credentials/licensing		· DOH and independent boards (such as Medical and Nursing) license, certify, and register health professionals and implement Uniform Disciplinary Act · Required component of voluntary CQIP plans (see Quality/QI structure and process)	
Provider selection and termination	· Enforces "any category of provider" and "access to women's health care" laws		
Provider contracting	· Enforces prohibition of "gag clauses," incentives to under-provide care, and retaliation for good-faith complaints by providers	· Provides technical assistance to rural providers and facilities so that they can participate effectively in managed care contract negotiations	
Network adequacy	· General requirement now		
Access standards and data about access		· Public health assessment addresses provider supply and access to health care, but on a community and population basis rather than by health plan enrollment	
CONSUMER RIGHTS			
Consumer information/disclosure	· Enforces disclosure requirements of SB 6392 (1995) · Some carrier filings are confidential by statute	· Practitioner disciplinary history is available upon public inquiry. · DOH is requesting legislation to make hospital infraction information disclosable	

Sheet2

Grievances, appeals and complaints	<ul style="list-style-type: none"> · Carriers must file with OIC fair procedures for handling complaints · OIC has consumer complaint hot line 	<ul style="list-style-type: none"> · Complaints about regulated providers are investigated and may flag facility site visits · Required component of voluntary CQIP plans (see Quality/QI structure and process) 	
Antidiscrimination	<ul style="list-style-type: none"> · Enforces general non-discrimination requirements and legal limits on what can be considered in setting premiums (e.g. pre-existing conditions, after 3 months) · Enforces "conscience clause" (right of enrollee or provider to not participate in services they object to for reasons of religion or conscience) 	<ul style="list-style-type: none"> · "Whistle blowers" complaining in good faith about quality of care by provider or facility are protected against reprisal from employers (see right) and their identities are confidential 	<ul style="list-style-type: none"> · State Human Rights Commission enforces "whistle blower" protection against employer retaliation. · Federal laws
Confidentiality of records-plans			<ul style="list-style-type: none"> · Federal Health Insurance Portability and Accountability Act of 1996 sets in process development of privacy standards
Confidentiality of records-providers		<ul style="list-style-type: none"> · DOH has authority over regulated providers who violate the Uniform Health Care Information Act 	
QUALITY (see also providers)			
Clinical quality review, audit utilization management			
Quality improvement (QI) structure and process		<ul style="list-style-type: none"> · Approves Coordinated Quality Improvement Plans (CQIPs)- a voluntary process for plans or provider groups to protect QI records from disclosure in lawsuits if they operate a bona fide QI process 	
Consumer satisfaction			
Quantitative quality measures		<ul style="list-style-type: none"> · Advisory role via certain "data standards." 	
Practice guidelines		<ul style="list-style-type: none"> · Advisory role in some practice guidelines (mostly preventive in nature). 	